

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
vs.)	CR No. 05-1849 JH
)	
DANA JARVIS, et al.,)	
)	
Defendants.)	

UNOPPOSED MOTION TO CONTINUE *JAMES*
HEARING CURRENTLY SET FOR SEPTEMBER 30, 2008

The United States hereby moves the Court for a continuance of the *James* Hearing currently scheduled for September 30, 2008 and to continue the current disclosure deadline of August 29, 2008, and in support of its motion states as follows:

1. In its Third Order Setting Trial Date and Case Schedule, filed August 13, 2008 (Doc. 1368), the Court scheduled a *James* Hearing in this case for September 30 and the disclosure deadline of materials relevant thereto for August 29, 2008.
2. The parties have agreed to proceed with facilitated settlement discussions before the Honorable James A. Parker. The court has advised the parties that Judge Parker is available October 15-17, 2008 for facilitation purposes.
3. Counsel for the defendants concur in this requested continuance.
4. The requested continuance will not affect the current trial setting.

WHEREFORE, the United States respectfully requests that the Court grant a continuance

of the *James* hearing presently scheduled for September 30, 2008 and the disclosure deadline of August 29, 2008 and reset the hearing and disclosure deadline for a time after the October Settlement Facilitation conducted by Judge Parker.

Respectfully submitted,

GREGORY J. FOURATT
United States Attorney

/s/ James R.W. Braun

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 28th day of August, 2008, I filed the foregoing pleading electronically through the CM/ECF system, which is designed to cause counsel of record for the defendant to be served by electronic means.

/s/ James R.W. Braun

JAMES R.W. BRAUN
Assistant U.S. Attorney